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## Letter dated 17 October 2011 from the Permanent Representative of Kenya to the United Nations addressed to the President of the Security Council

I write to inform you that Kenya, with the concurrence of the Transitional Federal Government of Somalia, has been compelled to take robust, targeted measures to protect and preserve the integrity of Kenya and the efficacy of the national economy and to secure peace and security in the face of the Al-Shabaab terrorist militia attacks emanating from Somalia.

Kenya has been facing serious challenges emanating from the collapse of the State of Somalia over the past two decades. The situation has worsened of late, following the unprecedented escalation of threats to the country's national security. Kenya has suffered dozens of incursions that were repulsed by its military and police forces. Scores of Kenyans have lost their lives over the past 36 months in border towns and communities owing to terrorist actions and incursions from Al-Shabaab militants.

The violent and incessant infringement and violation of Kenya's territory, which has been reported over a long period of time by the international media, can no longer go unchecked.

In the light of the foregoing, Kenya, in direct consultations and liaison with the Transitional Federal Government in Mogadishu, has, after the latest direct attacks on Kenyan territory and the accompanying loss of life and kidnappings of Kenyans and foreign nationals by the Al-Shabaab terrorists, decided to undertake remedial and pre-emptive action.

Kenya, whenever necessary, will pursue back into Somalia the terrorist elements that have transgressed the Kenyan boundaries and carried out acts of kidnapping, terror and murder and disrupted international humanitarian efforts.

The Government will secure the common border with Somalia as expected of it by the citizens of Kenya.

The joint communiqué, which was issued at the conclusion of a meeting held on 18 October 2011 between the Government of Kenya and the Transitional Federal Government of Somalia, is attached for information and reference (see annex).

I would be grateful if the present letter and its annex could be issued as a document of the Security Council.

(*Signed*) Macharia **Kamau**
Ambassador
Permanent Representative

11-55396 (E) 191011

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## Annex to the letter dated 17 October 2011 from the Permanent Representative of Kenya to the United Nations addressed to the President of the Security Council

## Joint communiqué issued at the conclusion of the meeting between the Government of Kenya and the Transitional Federal Government of Somalia

On 18 October 2011, H.E. Sheikh Sharif Sheikh Ahmed, President of the Transitional Federal Government of Somalia, received and held crucial talks with the Kenyan delegation led by the Hon. Moses Wetang'ula, Minister for Foreign Affairs of the Republic of Kenya, in Mogadishu, Somalia. The Kenyan delegation also included the Hon. Mohammed Yusuf Haji, Minister of State for Defence of the Republic of Kenya.

Prior to the meeting with the President, the delegation was also received by the Prime Minister and held a session with key members of his Cabinet.

The meeting with the President was convened against the backdrop of the growing spate of armed attacks by the Al-Shabaab elements on Kenya.

The meeting deliberated on the current situation on the ground, and noted as follows:

- That the prolonged situation of crisis and conflict in Somalia, resulting from the collapse of the Somali State in 1991, has progressively mutated into a myriad of threats to the Somali population, neighbouring States, the region and the international community
- The region, through the Intergovernmental Authority on Development and the African Union, has consistently called upon the international community to focus serious attention on these growing threats; however, most of these pleas have been met with inadequate, inconsistent and unsustainable support
- The security situation in Somalia improved following the defeat of Al-Shabaab after six months of intensive military operations by the Transitional Federal Government (TFG) and the forces of the African Union Mission in Somalia and their subsequent withdrawal from Mogadishu on 6 August 2011. However, the Al-Shabaab group has since regrouped and is posing a significant threat to peace and security in Somalia and throughout the region
- Further, the Al-Shabaab relocation towards Lower Juba, near the border, has seen some of its elements infiltrate into Kenya and commit heinous crimes, including abducting foreign nationals within Kenya, attacking civilians, destroying property and obstructing humanitarian efforts for the more than 600,000 refugees hosted in the Dadaab complex; more fundamentally, these activities increasingly pose threats to public safety and security within Kenya, create anxiety among the populations and negatively impact Kenya's economy
- The recent spate of blatant attacks is indicative of a changed strategy by Al-Shabaab calculated to terrorize civilians; this warrants decisive action to forestall the threats of Al-Shabaab elements to humanitarian operations, to restore security in the border areas and to ensure that insurgents do not launch attacks against Kenya, the region and beyond

Based on the discussion, the two sides agreed that Al-Shabaab constitutes a common enemy to both countries, and therefore, they should evolve a common political and security strategy to address this threat. In this regard, they agreed to:

1. Continue working together to stabilize Somalia and to stamp out the threats of the Al-Shabaab elements, especially terrorism, piracy, abductions, extortion, ransom demands and other international crimes.

2. Cooperate in undertaking security and military operations, and to undertake coordinated pre-emptive action and the pursuit of any armed elements that continue to threaten and attack both countries. In this regard, both sides agreed to revamp the joint mechanism to ensure enhanced cooperation and coordination in all aspects.

3. Reaffirm their commitment to continue to work together in urging the international community to favourably consider the recommendations and decisions of the Intergovernmental Authority on Development and the African Union in relation to strengthening the Peace Support Operation in Somalia.

4. Express their determination to strengthen the existing cooperation between the two sides. In this regard, they agreed:

(a) To facilitate cooperation among communities along the common border on matters of mutual interest;

(b) To cooperate and collaborate in the sharing and exchange of information that is relevant to the fight against cross-border crimes;

(c) To continue working with the international community in the implementation of peace support operations as well as humanitarian action in Somalia.

5. Reaffirm their obligations to defend the sovereignty and territorial integrity of both countries from internal and external threats.

6. H.E. Sheikh Sharif Sheikh Ahmed, President of Somalia, reaffirmed the commitment of the Transitional Federal Government to fully implement the Kampala Accord of 9 June 2011.

Done in Mogadishu, on this 18th day of October 2011

For the Government of the Republic of Kenya
(*Signed*) The Hon. Moses M. **Wetang'ula**, EGH, MP
Minister for Foreign Affairs

For the Transitional Federal Government of Somalia
(*Signed*) H.E. Hussein Arab **Isse**
Deputy Prime Minister and Minister for Defence